



The Journal OF THE *House of Representatives*

Number 22

Monday, April 8, 2013

Introduction and Reference

By Representative **Beshears**—

HB 1421—A bill to be entitled An act relating to Madison County; authorizing the Division of Alcoholic Beverages and Tobacco of the Department of Business and Professional Regulation to issue alcoholic beverage licenses to certain hotels and motels in the county; providing an exception to general law; providing an effective date.

Proof of Publication of the required notice was attached.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Education Committee; Representative **Adkins**—

HB 7161—A bill to be entitled An act relating to public records; providing an exemption from public records requirements for student learning growth data that is educator-specific and personally identifies an educator which is held by the Department of Education or a school district for use in an evaluation of an educator; providing for limited duration of the exemption; defining the term "educator"; providing for retroactive effect of the exemption; authorizing disclosure of such student learning growth data under specified conditions; providing for future review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

First Reading of Committee and Subcommittee Substitutes by Publication

By the Regulatory Affairs Committee; Government Operations Appropriations Subcommittee; and Insurance & Banking Subcommittee; Representatives **Hooper, Edwards, Fasano, Mayfield, and Santiago**—

CS/CS/CS/HB 573—A bill to be entitled An act relating to manufactured and mobile homes; amending s. 627.351, F.S.; requiring the Citizens Property Insurance Corporation to provide coverage for mobile homes and manufactured homes and related structures for a specified minimum insured value; amending s. 723.06115, F.S.; specifying the procedure for requesting and obtaining funds from the Florida Mobile Home Relocation Trust Fund to pay for the operational costs of the Florida Mobile Home Relocation Corporation and the relocation costs of mobile home owners; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Health & Human Services Committee; and Healthy Families Subcommittee; Representative **K. Roberson**—

CS/CS/HB 1015—A bill to be entitled An act relating to the state ombudsman program; amending s. 400.0060, F.S.; revising and providing definitions; amending s. 400.0061, F.S.; revising legislative intent with respect to citizen ombudsmen; deleting references to ombudsman councils and transferring their responsibilities to representatives of the Office of State Long-Term Care Ombudsman; amending s. 400.0063, F.S.; revising duties of the office; amending s. 400.0065, F.S.; revising the purpose of state and local ombudsman councils; establishing districts; requiring the state ombudsman to submit an annual report to the Governor, the Legislature, and specified agencies and entities; amending s. 400.0067, F.S.; revising duties and membership of the State Long-Term Care Ombudsman Council; amending s. 400.0069, F.S.; requiring the state ombudsman to designate and direct program districts; providing duties of representatives of the office in the districts; providing for appointment and qualifications of district ombudsmen; prohibiting certain individuals from serving as ombudsmen; amending s. 400.0070, F.S.; providing conditions under which a representative of the office could be found to have a conflict of interest; amending s. 400.0071, F.S.; requiring the Department of Elderly Affairs to consult with the state ombudsman before adopting rules pertaining to complaint resolution; amending s. 400.0073, F.S.; providing procedures for investigation of complaints; amending s. 400.0074, F.S.; revising procedures for conducting onsite administrative assessments; authorizing the department to adopt rules; amending s. 400.0075, F.S.; revising complaint notification and resolution procedures; amending s. 400.0078, F.S.; providing for a resident or representative of a resident to receive additional information regarding resident rights; amending s. 400.0079, F.S.; providing immunity from liability for a representative of the office under certain circumstances; amending s. 400.0081, F.S.; requiring long-term care facilities to provide representatives of the office with access to facilities, residents, and records for certain purposes; amending s. 400.0083, F.S.; conforming provisions to changes made by the act; amending s. 400.0087, F.S.; providing for the office to coordinate ombudsman services with Disability Rights Florida; amending s. 400.0089, F.S.; conforming provisions to changes made by the act; amending s. 400.0091, F.S.; revising training requirements for representatives of the office and ombudsmen; amending ss. 20.41, 400.021, 400.022, 400.0255, 400.1413, 400.162, 400.19, 400.191, 400.23, 400.235, 415.1034, 415.104, 415.1055, 415.106, 415.107, 429.02, 429.07, 429.19, 429.26, 429.28, 429.34, 429.35, 429.85, and 744.444, F.S.; conforming provisions to changes made by the act; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Health & Human Services Committee; and Health Innovation Subcommittee; Representative **Magar**—

CS/CS/HB 1109—A bill to be entitled An act relating to transitional living facilities; creating part XI of ch. 400, F.S., relating to transitional living facilities; creating s. 400.9970, F.S.; providing legislative intent; creating s. 400.9971, F.S.; providing definitions; creating s. 400.9972, F.S.; requiring the licensure of transitional living facilities; providing fees; providing license application requirements; creating s. 400.9973, F.S.; providing requirements for transitional living facilities relating to client admission, transfer, discharge, and length of residency; creating s. 400.9974, F.S.; requiring a comprehensive treatment plan to be developed for each client; providing plan requirements; creating s. 400.9975, F.S.; providing licensee responsibilities; providing notice requirements; prohibiting a licensee or employee of a facility from serving notice upon a client to leave the premises or take other retaliatory action; requiring the client and client's representative to be provided with certain information; requiring the licensee to develop and implement certain policies and procedures; creating s. 400.9976, F.S.; providing licensee requirements relating to medication practices; creating s. 400.9977, F.S.; providing requirements for the screening of potential employees and monitoring of employees for the protection of clients; requiring licensees to implement certain procedures; creating s. 400.9978, F.S.; providing requirements for the use of physical restraints, seclusion, and chemical restraint medication on clients; creating s. 400.9979, F.S.; providing background screening requirements; requiring the licensee to maintain certain personnel records; providing administrative responsibilities for licensees; providing recordkeeping requirements; creating s. 400.9980, F.S.; providing requirements relating to property and personal affairs of clients; providing requirements for a licensee with respect to obtaining surety bonds; providing recordkeeping requirements relating to the safekeeping of personal effects; providing requirements for trust funds received by licensee and credited to the client; providing a penalty for certain misuse of a resident's personal needs allowance; providing criminal penalties for violations; providing for the disposition of property in the event of the death of a client; authorizing the Agency for Health Care Administration to adopt rules; creating s. 400.9981, F.S.; requiring the agency, in consultation with the Department of Health, to adopt and enforce certain rules; creating s. 400.9982, F.S.; providing procedures relating to violations and penalties; providing administrative fines for specified classes of violations; creating s. 400.9983, F.S.; authorizing the agency to apply certain provisions with regard to receivership proceedings; creating s. 400.9984, F.S.; requiring the Agency for Health Care Administration, the Department of Health, the Agency for Persons with Disabilities, and the Department of Children and Families to develop electronic systems for certain purposes; amending s. 381.745, F.S.; revising the definition of the term "transitional living facility"; amending s. 381.75, F.S.; revising responsibilities of the Department of Health with respect to residents of transitional living facilities; amending s. 381.78, F.S.; revising the duties of the advisory council on brain and spinal cord injuries; amending ss. 408.802 and 408.820, F.S.; conforming provisions to changes made by the act; amending s. 400.93, F.S.; providing an exemption from home medical equipment licensure for transitional living facilities under certain conditions; repealing s. 400.805, F.S., relating to transitional living facilities; providing for continuation of licensure of certain transitional living facilities under the act; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Health & Human Services Committee; Civil Justice Subcommittee; and Health Quality Subcommittee; Representatives **Pigman, R. Rodrigues, Albritton, Baxley, Campbell, Combee, Cummings, Davis, Eagle, Fresen, Hutson, Mayfield, Metz, Porter, Raulerson, Renuart, Spano, Stone, and Van Zant**—

CS/CS/CS/HB 1129—A bill to be entitled An act relating to infants born alive; amending s. 390.011, F.S.; defining the term "born alive"; amending s. 390.0111, F.S.; providing that an infant born alive during or immediately after

an attempted abortion is entitled to the same rights, powers, and privileges as any other child born alive in the course of natural birth; requiring health care practitioners to preserve the life and health of such an infant born alive, if possible; providing for the transport and admittance of an infant born alive to a hospital; requiring a health care practitioner or certain employees who have knowledge of any violations with respect to infants born alive after an attempted abortion to report those violations to the Department of Health; providing a penalty; providing for construction; amending s. 390.0112, F.S.; revising a reporting requirement; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the State Affairs Committee; and Agriculture & Natural Resources Subcommittee; Representative **Beshears**—

CS/HB 7087—A bill to be entitled An act relating to the Department of Agriculture and Consumer Services; amending s. 253.034, F.S.; requiring public hearings relating to the development of land management plans to be held in any one, rather than each, county affected by such plans; amending s. 388.261, F.S.; revising provisions for the distribution and use of state funds for local mosquito control programs; amending s. 388.271, F.S.; revising the date by which mosquito control districts must submit their certified budgets for approval by the department; amending s. 487.160, F.S.; deleting provisions requiring the department to conduct a survey and compile a report on restricted-use pesticides; amending s. 534.083, F.S.; deleting permitting requirements for livestock haulers; creating s. 570.087, F.S.; providing for the department and the Fish and Wildlife Conservation Commission to enter into a memorandum of agreement to develop best management practices for the agriculture industry; authorizing the department to adopt certain rules; providing that implementation of such best management practices is voluntary; prohibiting governmental agencies from adopting or enforcing specified ordinances, resolutions, regulations, rules, or policies; amending s. 570.07, F.S.; clarifying the authority of the department to regulate certain open burning; creating s. 570.64, F.S.; establishing the duties of the Division of Food, Nutrition, and Wellness within the department; providing for a director of the division; amending s. 570.902, F.S.; clarifying the applicability of definitions relating to certain designated programs and direct-support organizations; amending s. 570.903, F.S.; authorizing the department to establish direct-support organizations for museums and other programs of the department; deleting provisions that limit the establishment of direct-support organizations to particular museums and programs; deleting provisions authorizing direct-support organizations to enter into certain contracts or agreements; clarifying provisions prohibiting specified entities from receiving commissions, fees, or financial benefits in connection with the sale or exchange of real property and historical objects; providing for the termination of agreements between the department and direct-support organizations; providing for the distribution of certain assets; deleting provisions requiring the department to establish certain procedures relating to museum artifacts and records; amending s. 576.051, F.S.; authorizing the department to establish certain criteria for fertilizer sampling and analysis; amending s. 576.061, F.S.; requiring the department to adopt rules establishing certain investigational allowances for fertilizer deficiencies; providing a date by which such allowances are effective and other allowances are repealed; amending s. 576.181, F.S.; revising the department's authority to adopt rules establishing certain criteria for fertilizer analysis; amending s. 585.61, F.S.; deleting provisions for the establishment of an animal disease diagnostic laboratory in Suwannee County; amending s. 586.10, F.S.; authorizing apiary inspectors to be certified beekeepers under certain conditions; amending s. 589.02, F.S.; deleting annual and special meeting requirements for the Florida Forestry Council; amending s. 589.19, F.S.; establishing the Operation Outdoor Freedom Program within the Florida Forest Service to replace provisions for the designation of specified hunt areas in state forests for wounded veterans and servicemembers; providing purpose and intent of the program; providing eligibility requirements for program participation; providing exceptions from eligibility requirements for certain activities; providing for deposit and use of funds donated to the program;

limiting the liability of private landowners who provide land for designation as hunting sites for purposes of the program; amending s. 589.30, F.S.; revising references to certain Florida Forest Service personnel titles; amending s. 590.02, F.S.; authorizing the Florida Forest Service to allow certain types of burning; specifying that sovereign immunity applies to certain planning level activities; deleting provisions relating to the composition and duties of the Florida Forest Training Center advisory council; prohibiting government entities from banning certain types of burning; authorizing the service to delegate authority to special districts to manage certain types of burning; revising such authority delegated to counties and municipalities; amending s. 590.11, F.S.; revising the prohibition on leaving certain recreational fires unattended, to which penalties apply; amending s. 590.125, F.S.; revising and providing definitions relating to open burning authorized by the Florida Forest Service; revising requirements for noncertified and certified burning; limiting the liability of the service and certain persons related to certain burns; amending s. 590.25, F.S.; revising provisions relating to criminal penalties for obstructing the prevention, detection, or suppression of wildfires; creating chapter 595, F.S., to establish the Florida School Food and Nutrition Act; creating s. 595.401, F.S.; providing a short title; creating s. 595.402, F.S.; providing definitions; creating s. 595.403, F.S.; declaring state policy relating to school food and nutrition services; transferring, renumbering, and amending ss. 570.98 and 570.981, F.S., relating to school food and nutrition services and the Florida Farm Fresh Schools Program; revising the department's duties and responsibilities for administering such services and program; revising requirements for school districts and sponsors; transferring, renumbering, and amending s. 570.982, F.S., relating to the children's summer nutrition program; clarifying provisions; transferring, renumbering, and amending s. 570.072, F.S., relating to the authority of the department to conduct, supervise, and administer commodity distribution services for school food and nutrition services; creating s. 595.501, F.S.; providing certain penalties; transferring, renumbering, and amending s. 570.983, relating to the Food and Nutrition Services Trust Fund; conforming a cross-reference; transferring and renumbering s. 570.984, F.S., relating to the Healthy Schools for Healthy Lives Council; amending s. 1001.42, F.S.; requiring district school boards to perform duties relating to school lunch programs as required by the department's rules; amending s. 1003.453, F.S.; deleting an obsolete provision; requiring school districts to submit certain policies to the Department of Agriculture and Consumer Services and the Department of Education; repealing ss. 487.0615, 570.382, 570.97, and 590.50, F.S., relating to the Pesticide Review Council, Arabian horse racing and the Arabian Horse Council, the Gertrude Maxwell Save a Pet Direct-Support Organization, and permits for the sale of cypress products, respectively; amending ss. 487.041, 550.2625, and 550.2633, F.S.; conforming provisions; providing for the disbursement of specified funds; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Reference

CS/CS/CS/HB 375—Referred to the Calendar of the House.

CS/CS/HB 643—Referred to the Judiciary Committee.

CS/CS/CS/HB 701—Referred to the Calendar of the House.

CS/HB 837—Referred to the Calendar of the House.

CS/CS/HB 915—Referred to the Judiciary Committee.

CS/CS/HB 927—Referred to the Calendar of the House.

CS/CS/HB 971—Referred to the Regulatory Affairs Committee.

CS/HB 1069—Referred to the Regulatory Affairs Committee.

CS/HB 1097—Referred to the Judiciary Committee.

CS/CS/HB 1295—Referred to the Appropriations Committee.

CS/CS/HB 1379—Referred to the Judiciary Committee.

CS/HB 7083—Referred to the Judiciary Committee.

CS/HB 7087—Referred to the Calendar of the House.

Reports of Standing Committees and Subcommittees

Received April 5:

The Regulatory Affairs Committee reported the following favorably:
CS/CS/HB 573 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.19(c). Under the rule, CS/CS/HB 573 was laid on the table.

Received April 8:

The Health & Human Services Committee reported the following favorably:
CS/HB 1015 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.19(c). Under the rule, CS/HB 1015 was laid on the table.

The Health & Human Services Committee reported the following favorably:
CS/HB 1109 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.19(c). Under the rule, CS/HB 1109 was laid on the table.

The Health & Human Services Committee reported the following favorably:
CS/CS/HB 1129 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.19(c). Under the rule, CS/CS/HB 1129 was laid on the table.

The Agriculture & Natural Resources Appropriations Subcommittee reported the following favorably:
CS/HB 1393

The above committee substitute was transmitted to the next committee or subcommittee of reference, the State Affairs Committee.

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DAILY INDICES FOR

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